

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL PAUL STEVENS

Plaintiff,
v.

MARTEN TRANSPORT, LTD

Defendant.

ORDER

Case No. 14-cv-107-wmc

This is a civil action in which plaintiff Michael Stevens, who is proceeding pro se, alleges that defendant Marten Transport LTD terminated his employment because of plaintiff's sleep apnea. Plaintiff has paid the \$400 fee for filing this case.

The next step is for plaintiff to serve his complaint on the defendant. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendant well before the deadline for doing so established in Rule 4. For plaintiff's information, Fed. R. Civ. P. 4(2) states that service must be made by any person who is at least 18 years old and not a party to the lawsuit. To further help plaintiff understand the procedure for serving a complaint, I am enclosing with this order a copy of a document titled "Procedure for Serving a Complaint on a Corporation in a Federal Lawsuit."

ORDER

IT IS ORDERED that plaintiff Michael Stevens promptly serve a summons and his complaint on the defendant and file proof of service of his complaint as soon as service has

been accomplished. A summons that has been signed and sealed by the clerk of court is enclosed to plaintiff with this order for his use in serving his complaint. If, by May 30, 2014, plaintiff fails to submit proof of service of his complaint on the defendant or explain his inability to do so, I will direct plaintiff to show cause why this case should not be dismissed for lack of prosecution.

Entered this 2nd day of April, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge